TABLE OF CONTENTS
FO#2277567

MISCELLANEOUS DOCUMENTS

Admonition Forms
Copy of Medical Records for Suspect Zaragoza
CCHRS and RAPS for Suspect Zaragoza
CD's (1) containing Video of interviews with Sergeant Renfrow of witnesses and suspect, (1) Emergent Radio Traffic

Los Angeles County Sheriff's Department
Supervisor's Report on Use of Force

Incident Information

URN: 910-14512-0285-058	Date: 11/21/10	Time: 1853 hours	
Location: [redacted] Sadler Street	City or Station: Los Angeles		
Bureau/Station/Facility: East Los Angeles Station	Admin. Investigation: YES ☐ NO ☒		
Type of Force: Take down, Personal Weapons; hobble restraint			
Deputy Injury: YES ☒ NO ☐	Suspect Injury YES ☒ NO ☐		
☐ Call	☒ Observation	☐ Detail	☐ Foot Pursuit ☐ Vehicle Pursuit
IAB Notified: YES ☒ NO ☐	Person Notified: Lt. Fredericks	Emp: [redacted]	IAB Roll Out: YES ☐ NO ☒

Involved Employee

E1

Employee # [redacted]	Last Name Barrera	First Name Armando	Middle Name
Sex: ☒ Male ☐ Female	Race: H	Unit of Assignment: East Los Angeles Station	Work Assignment (Unit #, Module, etc.): Patrol
Shift: ☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: [redacted]	Height: 5' 10" Weight: 235
☒ Injured ☒ Treated ☐ Admitted	Hospital: US Healthworks	Coroner Case #	Directed Force ☐ Significant Force ☒

E2

Employee # [redacted]	Last Name [redacted]	First Name [redacted]	Middle Name
Sex: ☒ Male ☐ Female	Race: H	Unit of Assignment: East Los Angeles Station	Work Assignment (Unit #, Module, etc.): Patrol
Shift: ☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: [redacted]	Height: 5' 08" Weight: 170
☒ Injured ☐ Treated ☐ Admitted	Hospital: US Health works	Coroner Case #	Directed Force ☐ Significant Force ☒

E3

Employee # [redacted]	Last Name Lopez	First Name Noel	Middle Name
Sex: ☒ Male ☐ Female	Race: H	Unit of Assignment: East Los Angeles Station	Work Assignment (Unit #, Module, etc.): Patrol
Shift: ☒ EM ☐ Day ☐ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: [redacted]	Height: 5' 07" Weight: 185
☐ Injured ☐ Treated ☐ Admitted	Hospital:	Coroner Case #	Directed Force ☐ Significant Force ☒

☐ **Additional Involved Employees**

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	Renfrow	Mark			YES ☒ NO ☐	YES ☐ NO ☒
[redacted]	Ellison	Dana			YES ☒ NO ☐	YES ☐ NO ☒

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	Gallardo	Oscar	

Watch Commander (**Print Name**) | Watch Commander's **Signature**: | Emp #: | Date

Laura Haynes | [redacted]

Supervisor Completing Form: (**Print Name**) | Emp #: | Copy Provided to Employee by: | Emp #:

Unit Commander (**Print Name**) | Unit Commander's **Signature**: | Emp #: | Date

DISCOVERY Use Only
FO# 2277567

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 07/08)

Supervisor's Report on Use of Force
SUSPECT INFORMATION
910 - 14512 - 0285 - 058

Suspect Information

S 1

Last Name: Zaragoza | First Name: James | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: ☒ Male ☐ Female | Race: H | Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Work Phone: [redacted] | Home Phone: [redacted] | Age: 47 | Height: 5' 08" | D.O.B. 10-21-63 | Weight: 170 | Armed? ☐

Booking #: 2554720 | Primary Charge Code: 243(c)(1)PC | Secondary Charge Code: 11350(a) | Criminal History [redacted]

EMT in attendance? ☒ YES ☐ NO Name: LACO Fire Engine 22 | Unit: 3 | Phone #:

Hospital Admission? ☒ | Rec'd Treatment At: LCMC | Coroner Case #: | Mental History ☐

By Doctor: Bonns | Address: 2051 Marengo Street, LA 90033 | Phone #: 323-409-1945

Under Influence: ☒ YES ☐ NO | Substance: alcohol, amphetamines | Mental Illness ☐

Suspect Interview

Date: 11-21-10 | Time: unknown | ☐ Audiotape: | ☒ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: ☐ Male ☐ Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? ☐

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History ☐

EMT in attendance? ☐ YES ☐ NO Name: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐

By Doctor: | Address: | Phone #:

Under Influence: ☐ YES ☐ NO | Substance: | Mental Illness: ☐

Suspect Interview

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name:

AKA Last Name: | First Name: | Middle Name:

Sex: ☐ Male ☐ Female | Race: | Street Address: | City: | State & Zip Code:

Work Phone: | Home Phone: | Age: | Height: | D.O.B. | Weight: | Armed? ☐

Booking #: | Primary Charge Code: | Secondary Charge Code: | Criminal History ☐

EMT in attendance? ☐ YES ☐ NO Name: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐

By Doctor: | Address: | Phone #:

Under Influence: ☐ YES ☐ NO | Substance: | Mental Illness ☐

Suspect Interview

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

☐ Additional Suspects Involved

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Zaragoza	S#1	Barrera	E#1	UC		
Barrera	E#1	Zaragoza	S#1	TD		
Zaragoza	S#1	Barrera	E#1	RS		
Barrera	E#1	Zaragoza	S#1	CT		
[redacted]	E#2	Zaragoza	S#1	CT		
Zaragoza	S#1	Barrera, [redacted]	E#1,2	PP		
Barrera	E#1	Zaragoza	S#1	PH		
Zaragoza	S#1	Barrera, [redacted]	E#1,2	PK		
[redacted]	E#2	Zaragoza	S#1	PH	BR	EL, WR
Barrera	E#1	Zaragoza	S#1	PH	CP	HD
Zaragoza	S#1	Barrera	E#1	PO		
[redacted]	E#2	Zaragoza	S#1	PO	ST	WR
Farias	E#3	Zaragoza	S#1	CT		
Zaragoza	S#1	Farias	E#3	RS		
FaArias	E#3	Zaragoza	S#1	PO		
Lopez	E#4	Zaragoza	S#1	CT,PO		
Farias [redacted]	E# 3,2	Zaragoza	S#1	RH		
Zaragoza	S#1	[redacted] Farias, Lopez	E#2,3,4	PK		
[redacted]	E#2	Zaragoza	S#1	HB	FR	BK

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE - Continuation
9 1 0 - 1 4 5 1 2 - 0 2 8 5 - 0 5 8

Involved Employee

E 4

Employee #	Last Name	First Name	Middle Name
[redacted]	Farias	Monica	

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☐ Male ☒ Female	H	East Los Angeles Station	Patrol

Shift		Age	Height	Weight
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	5' 03"	140

	Hospital	Coroner Case #	Force
☐ Injured ☐ Treated ☐ Admitted			Directed Force ☐ Significant Force ☒

E 5

Employee #	Last Name	First Name	Middle Name
[redacted]	Ellison	Dana	

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☒ Male ☐ Female	W	OSS	Patrol

Shift		Age	Height	Weight
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	5' 07"	150

	Hospital	Coroner Case #	Force
☐ Injured ☐ Treated ☐ Admitted			Directed Force ☒ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☐ Male ☐ Female			

Shift		Age	Height	Weight
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

	Hospital	Coroner Case #	Force
☐ Injured ☐ Treated ☐ Admitted			Directed Force ☐ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☐ Male ☐ Female			

Shift		Age	Height	Weight
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

	Hospital	Coroner Case #	Force
☐ Injured ☐ Treated ☐ Admitted			Directed Force ☐ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☐ Male ☐ Female			

Shift		Age	Height	Weight
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

	Hospital	Coroner Case #	Force
☐ Injured ☐ Treated ☐ Admitted			Directed Force ☐ Significant Force ☐

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION - Continuation
910-14512-0285-058

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name

Non-Employee Witnesses

Last Name [redacted]	First Name [redacted]	Middle Name	Age 23	D.O.B. [redacted]
Street Address [redacted]	City [redacted]	Zip Code [redacted]	Work Ph.	Home Ph. [redacted]
Last Name [redacted]	First Name [redacted]	Middle Name	Age 25	D.O.B. [redacted]
Street Address [redacted]	City [redacted]	Zip Code [redacted]	Work Ph.	Home Ph. [redacted]
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name	First Name	Middle Name	Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.

INTERNAL AFFAIRS BUREAU
USE OF FORCE REVIEW SUMMARY
IAB #FO2277567
URN #910-14512-0285-058

Involved Employee(s)	Deputy [redacted] # [redacted] • Control Hold, Personal Weapons (fist), Resisted Handcuffing, Hobble Deputy Armando Barrera #[redacted] • Takedown, Control Hold, Personal Weapons (fist), Resisted Handcuffing Deputy Monica Farias #[redacted] • Control Hold, personal weapon(fist), Resisted Handcuffing Deputy Noel Lopez #[redacted] • Control Hold, personal weapons (fist) Sergeant Dana Ellison #[redacted] • Directed Force (Hobble)
Non-Employee Witness:	[redacted]
Suspect:	James Zaragoza, MH/47, DOB: 10-21-63 Booking #2554720
Date:	November 21, 2010 (Sunday)
Time:	1853 hours
Location:	[redacted]Sadler Avenue Los Angeles, 90022

OPENING STATEMENT:

On November 21, 2010, Deputies Barrera and [redacted] were working a two-man unit patrolling the Montebello area. They saw the suspect driving east on Beverly Blvd., in front of them. The deputies watched as the suspect committed numerous traffic violations (swerving across lanes, an illegal U-turn, failure to stop for posted stop signs). The deputies recognized the suspect from previous contacts/arrests, and knew he had a suspended license, as well a warrant for his arrest for the same violation.

When the suspect began driving south in the northbound lanes of Gerhart Avenue, against traffic, the deputies attempted to stop the vehicle. The suspect failed to yield and a short vehicle pursuit began (.25 miles). The suspect drove to his nearby home where he parked his vehicle and attempted to flee into the house. Deputy Barrera grabbed the suspect as he ran back toward him. This began what turned out to be a lengthy fight with the suspect.

Deputy Barrera took the suspect to the ground, and the suspect countered by trying to stand up. Barrera got on top of the suspect's back, pinning the suspect's shoulder blades to the ground with his knees. The suspect refused to remove his hands from under his body. Deputy [redacted] assisted by trying to pull the suspect's hands out from under him. The suspect stood to his knees, with Barrera still on his back, causing Barrera to fall off. Barrera punched the suspect in the upper, middle, and lower back numerous times but the suspect refused to place his hands behind his back. Deputy [redacted] punched the suspect on his torso three or four times, which also had no effect.

Deputy [redacted] positioned his body on the right side of the suspect's body, and forced him partially down to the ground. Deputy Barrera utilized his knees and dropped his body weight down onto the suspect's back. The suspect forced his body back up, and pushed Deputy [redacted] with such force that his radio mic dislodged from his uniform shirt, and [redacted] fell down to the ground, flat on his back, beneath the suspect. Barrera punched the suspect in the face numerous times, which diverted the suspect's attention away from his partner who was on the ground.

The suspect continued his attack. He grabbed the front of Deputy Barrera's uniform shirt and vest, and pulled Barrera down to the ground on top of him. The Suspect then wrapped both of his legs around Barrera's waist and attempted to punch him. Barrera covered his face with his hands, avoiding the suspect's punches. The suspect then punched Barrera in the rib cage numerous times, and ripped his radio off of his gun belt.

Deputy Barrera countered the suspect's attack by crawling backwards, and then wrapped his legs around the suspect's legs. Deputy [redacted] rejoined the fight. Deputy [redacted] wrapped his arms around the suspect's shoulders, and punched the suspect in the face four times. Assisting Deputies Farias and Lopez arrived. Deputy Farias saw that Deputies Barrera and [redacted] were actively being assaulted by the suspect. Deputy Farias saw the deputies trying to gain control of the suspect's hands. Deputy Farias tried grabbing one of the suspect's

hands but the suspect pulled away from him. Deputy Farias punched the suspect in the lower back four or five times. Simultaneously Deputy Lopez drove his knee into the suspect's left shoulder/back area, and punched the suspect in the face. This was partially effective because Deputy Farias was able to gain control of the suspect's left arm. The deputies were able to force the suspect's hands behind his back and handcuff him. After being handcuffed, the suspect continued kicking wildly at the deputies. They ended the suspect's attack by hobbling him.

The suspect was transported to County U.S.C. Hospital and was initially treated for complaints of pain to his body and facial abrasions. Several hours after his arrival, the suspect was diagnosed as having a vertebral fracture and a possible cracked rib. Internal Affairs Bureau was notified of the confirmed fracture on November 22, 2010, and assumed the force investigation.

> **IAB NOTE:** Suspect Zaragoza was charged with Resisting and Obstructing an Executive Officer, 69 P.C., Possession of a Controlled Substance, 11350(A)H&S, and, Reckless Evading of a Peace Officer, 2800.4 V.C. The case was presented for filing by East Los Angeles Station, Detective Steve Hernandez. Suspect Zaragoza was too combative to conduct FST's to confirm his level of sobriety (Refer to **Exhibit A**, SH-R-221 report). His blood draw results confirmed amphetamines in his system. All deputies involved in the use of force admitted smelling a strong odor of alcohol from Suspect Zaragoza's breath and person.

INVOLVED PERSONNEL:

[redacted]
East Los Angeles Station
Region I

Work History:

Date of Employment: [redacted]
Date Assigned to Patrol: [redacted]
Completed Patrol Training: [redacted]
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incident(s): [redacted]

Barrera, Armando
East Los Angeles Station
Region I

Work History:

Date of Employment: 01-07-98

Date Assigned to Patrol: [redacted]
Completed Patrol Training: [redacted]
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incident(s): [redacted]

Farias, Monica
East Los Angeles Station
Region I

Work History:

Date of Employment: 08-02-06
Date Assigned to Patrol: [redacted]
Completed Patrol Training: [redacted]
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incident(s): [redacted]

Lopez, Noel
East Los Angeles Station
Region I

Work History:

Date of Employment: 08-16-01
Date Assigned to Patrol: [redacted]
Completed Patrol Training: [redacted]
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incident(s): [redacted]

Ellison, Dana
Operation Safe Streets Bureau Sergeant
Field Operations Region II
Operation Safe Streets Bureau

Date of Employment: 11-28-80
Date Assigned to Patrol: [redacted]
Date Promoted to Sergeant: [redacted]
Prior Shooting Incidents: [redacted]
Prior Founded Force Incidents: [redacted]

SUSPECT:

Zaragoza, James MH/47 Booking #2554720

Suspect Zaragoza has an extensive criminal history [redacted]

INJURIES:

Deputy [redacted] sustained a contusion to his right wrist and elbow, and a sprained right wrist.

Deputy Barrera sustained a sore right hand. They were both taken to US Healthworks medical facility where they were treated and released.

Suspect Zaragoza sustained a vertebral (L4) fracture (Refer to Suspect Zaragoza's medical records in the **Miscellaneous section** of this case file.)

PHYSICAL EVIDENCE:

There was no notable physical evidence related to this incident.

INVESTIGATOR OBSERVATIONS:

Internal Affairs Bureau Sergeants did not respond to the Use of Force incident. Initially it was being handled and investigated by East Los Angeles Station supervisors, until it was determined Suspect Zaragoza sustained a vertebral fracture, possibly during his altercation with deputy personnel.

WEAPONS USED BY DEPUTY PERSONNEL:

Deputy [redacted] used personal weapons, (right fist and Hobble restraint.)

Deputy Barrera used personal weapons, (right fist)

Deputy Farias used personal weapons, (right fist.)

Deputy Lopez used personal weapons, (right fist.)

WEAPONS USED BY SUSPECT:

Personal weapons, hands and feet.

PROPERTY DAMAGE:

No property was damaged during this incident.

CRIMINAL INVESTIGATOR/CHARGES FILED:

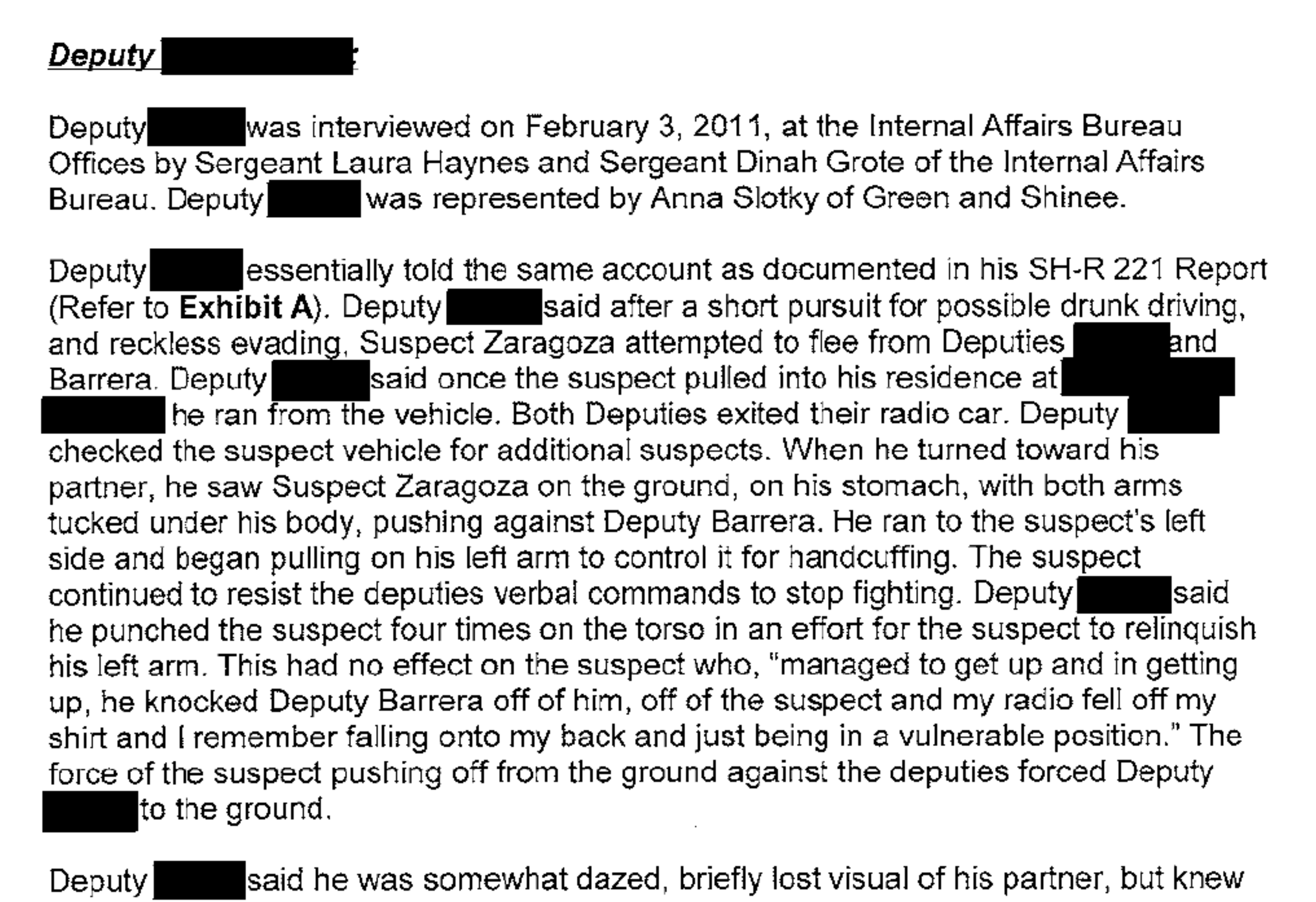
INVESTIGATOR'S NAME	- Detective Steve Hernandez
COURT	- Central Arraignment Court, Case #BA383157
CHARGES	- 69 P.C., 11350(A) H&S., 2800.4 VC
COURT DATE	- 07-20-11 (Jury Trial)

LIGHTING AND WEATHER CONDITIONS:

Lighting and weather conditions consistent with a clear, cold, November evening, in Los Angeles at 1930 hours.

INVOLVED EMPLOYEES' STATEMENTS:

The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the recorded interview and verbatim transcript.



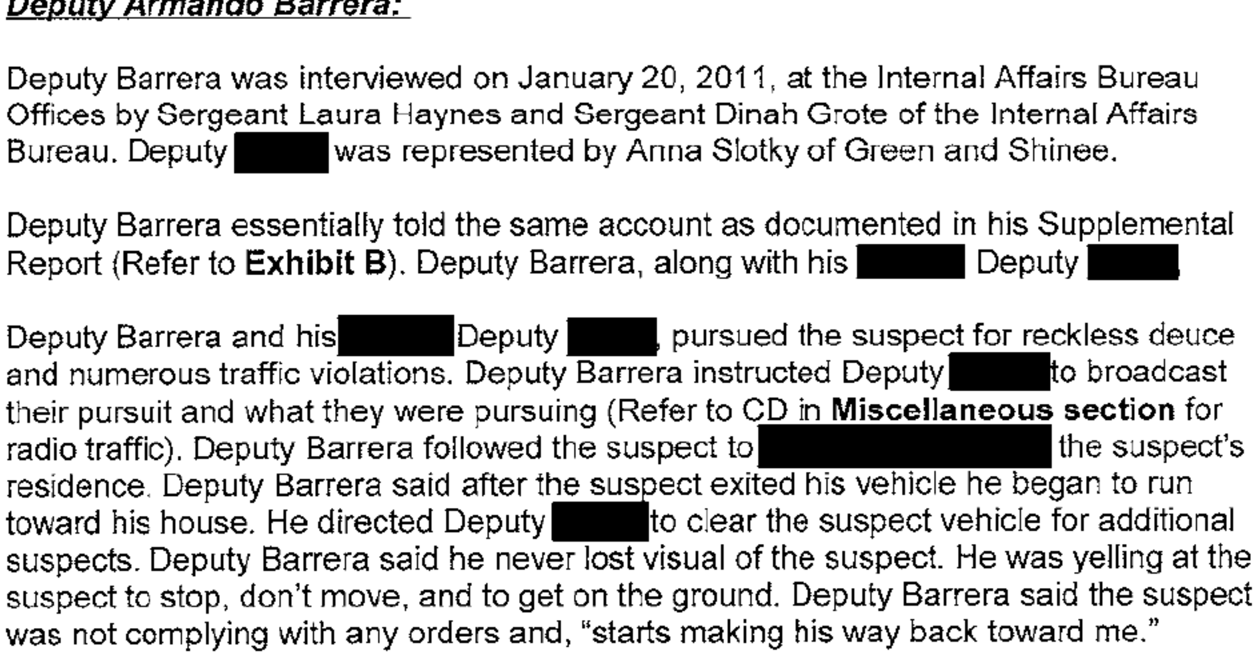
<u>Deputy</u> [redacted]

Deputy [redacted] was interviewed on February 3, 2011, at the Internal Affairs Bureau Offices by Sergeant Laura Haynes and Sergeant Dinah Grote of the Internal Affairs Bureau. Deputy [redacted] was represented by Anna Slotky of Green and Shinee.

Deputy [redacted] essentially told the same account as documented in his SH-R 221 Report (Refer to **Exhibit A**). Deputy [redacted] said after a short pursuit for possible drunk driving, and reckless evading, Suspect Zaragoza attempted to flee from Deputies [redacted] and Barrera. Deputy [redacted] said once the suspect pulled into his residence at [redacted] he ran from the vehicle. Both Deputies exited their radio car. Deputy [redacted] checked the suspect vehicle for additional suspects. When he turned toward his partner, he saw Suspect Zaragoza on the ground, on his stomach, with both arms tucked under his body, pushing against Deputy Barrera. He ran to the suspect's left side and began pulling on his left arm to control it for handcuffing. The suspect continued to resist the deputies verbal commands to stop fighting. Deputy [redacted] said he punched the suspect four times on the torso in an effort for the suspect to relinquish his left arm. This had no effect on the suspect who, "managed to get up and in getting up, he knocked Deputy Barrera off of him, off of the suspect and my radio fell off my shirt and I remember falling onto my back and just being in a vulnerable position." The force of the suspect pushing off from the ground against the deputies forced Deputy [redacted] to the ground.

Deputy [redacted] said he was somewhat dazed, briefly lost visual of his partner, but knew

he had to get back on his feet. He re engaged the suspect by grabbing him around the shoulders, and Deputy Barrera grabbed his legs. The suspect continued his assault on the deputies keeping his arms outstretched so as not to be taken to the ground. Deputy [redacted] said he punched the suspect four times in the face to attempt to gain control of the suspect. He said this action enabled him to control the suspect's right arm, and with assistance of Deputies Farias and Lopez, who had arrived on scene, the suspect was handcuffed. He continued to kick at the deputies. OSS Sergeant Ellison had arrived, and directed Deputy [redacted] to hobble Suspect Zaragoza.



Deputy Armando Barrera:

Deputy Barrera was interviewed on January 20, 2011, at the Internal Affairs Bureau Offices by Sergeant Laura Haynes and Sergeant Dinah Grote of the Internal Affairs Bureau. Deputy [redacted] was represented by Anna Slotky of Green and Shinee.

Deputy Barrera essentially told the same account as documented in his Supplemental Report (Refer to **Exhibit B**). Deputy Barrera, along with his [redacted] Deputy [redacted]

Deputy Barrera and his [redacted] Deputy [redacted], pursued the suspect for reckless deuce and numerous traffic violations. Deputy Barrera instructed Deputy [redacted] to broadcast their pursuit and what they were pursuing (Refer to CD in **Miscellaneous section** for radio traffic). Deputy Barrera followed the suspect to [redacted] the suspect's residence. Deputy Barrera said after the suspect exited his vehicle he began to run toward his house. He directed Deputy [redacted] to clear the suspect vehicle for additional suspects. Deputy Barrera said he never lost visual of the suspect. He was yelling at the suspect to stop, don't move, and to get on the ground. Deputy Barrera said the suspect was not complying with any orders and, "starts making his way back toward me."

As the deputy and the suspect met halfway, Deputy Barrera said he reached out with his left hand to grab the suspect's left forearm and, "with my right hand grab his shoulder blade area and take him to the ground." Deputy Barrera said immediately upon hitting the ground the suspect tried to stand up. Deputy Barrera climbed onto his back and placed both his knees on his rear upper back area attempting to keep the suspect on the ground. Suspect Zaragoza tucked both his arms underneath his body, continuing to resist Deputy Barrera's commands to, "stop fighting, show me your hands."

Deputy Barrera recalled seeing Deputy [redacted] arrive within seconds and tried to control the left arm of the suspect. Suspect Zaragoza continued to fight the deputies, so Deputy Barrera punched the suspect, "on his lower back, middle back, upper back with a closed fist on his back all over." Suspect Zaragoza utilized his knees, reared up, and threw Deputy Barrera off balance and backward. Deputy Barrera said this was his first opportunity to request assistance, via hand-held radio, of Deputy in a fight. He saw Deputy [redacted] still fighting with the suspect, attempting to control his arms and also punching the suspect in the facial area, to possibly stop his assault. Deputy Barrera re engaged the suspect, and placed his body weight on the suspect. Suspect Zaragoza

fought against Deputy Barrera, and Deputy [redacted] had now fallen on his back with Suspect Zaragoza attempting to straddle and pummel him. Deputy Barrera said he began punching the suspect in the facial area five or seven times in an attempt to stop the suspect's assault on them. Suspect Zaragoza turned his attention to Deputy Barrera and, "he now turned around and now we're face to face and I ended up between his legs and his arms around me." Deputy Barrera described Suspect Zaragoza's legs wrapped around his waist area and Suspect Zaragoza "grabbed a hold of my uniform shirt and top of my bullet proof vest, this caused me to be on top of the suspect and in between his legs." Deputy Barrera covered his facial area and described feeling "a few rib shots." Then Suspect Zaragoza forcefully ripped Deputy Barrera's hand-held radio from his holster on his left side. This action caused the radio to land on the ground underneath them. Deputy Barrera perceived this as Suspect Zaragoza attempting to gain access to his weapon. Deputy Barrera was able to crawl backward and mount the suspect's legs for control. Deputy Barrera said he used his legs to wrap around the suspect's legs, while continually yelling for the suspect to stop fighting. The suspect was yelling, but Deputy Barrera described it as, "unintelligible."

Deputy [redacted] re engaged the suspect attempting to control the suspect's upper body and neck area. Deputy Barrera described Deputy [redacted] as successfully handcuffing the suspect's right hand. Assisting units Deputies Farias and Lopez arrived, and they assisted in handcuffing. Deputy Barrera continued holding the suspect's legs, because he was still thrashing from side to side, wildly kicking his legs attempting to continue his assault on the deputies. Deputy Barrera saw Sergeant Ellison, and heard him direct the use of the hobble, which Deputy [redacted] applied.

> ***IAB Note:*** Deputy Barrera said during his interview he immediately recognized the suspect from his prior arrest with him, and knew he had an outstanding warrant. Deputy Barrera described Suspect Zaragoza as always, "hyped up," due to his continued methamphetamine use. Deputy Barrera was asked if he had to use force on Suspect Zaragoza prior to this incident, and he said not that he could recall. A check of PPI did not reveal specific force with Suspect Zaragoza.

<u>Deputy Monica Farias:</u>

Deputy Farias was interviewed on January 20, 2011, at the Internal Affairs Bureau Offices by Sergeant Laura Haynes and Sergeant Dinah Grote of the Internal Affairs Bureau. Deputy [redacted] was represented by Anna Slotky of Green and Shinee.

Deputy Farias essentially told the same account as documented in her Supplemental Report (Refer to **Exhibit C**). Deputy Farias said she and her [redacted] Deputy Lopez, responded to emergent radio traffic of Deputies [redacted] and Barrera, involved in a fight after a short vehicle pursuit. When they arrived at [redacted] Deputy Farias saw Deputy [redacted] on the ground fighting with Suspect Zaragoza, and Deputy Barrera was trying to control the suspect's legs. Deputy Farias immediately ran to assist, by attempting to control the suspect's left arm. She said the suspect was very strong and continued to resist the deputies, kicking his legs and punching the deputies.

She said she punched the suspect four to five times on his lower back. Deputy Farias said she was able to control the suspect's left arm enough, so Deputy [redacted] could control his right for handcuffing.

Once handcuffed, Deputy Farias said the suspect was still violently kicking and combative toward the deputies, so at the direction of Sergeant Ellison he was hobbled by Deputy [redacted]

Deputy Noel Lopez:

Deputy Lopez was interviewed on January 20, 2011, at the Internal Affairs Bureau Offices by Sergeant Laura Haynes and Sergeant Dinah Grote of the Internal Affairs Bureau. Deputy [redacted] was represented by Anna Slotky of Green and Shinee.

Deputy Lopez essentially told the same account as documented in his Supplemental Report (Refer to **Exhibit D**). Deputy Lopez, along with his [redacted] Deputy Farias, responded to an assistance request of Deputy involved in a fight. Upon their arrival, he saw Deputy Barrera trying to keep a combative Suspect Zaragoza on the ground with his knees on top of the suspect's hamstrings. Deputy Lopez said Deputy [redacted] was laying on the right side of the suspect's body trying to control the suspect's right arm. Deputy Lopez described the suspect as kicking his legs in an effort to stand up. He described both deputies were struggling to control the suspect. Deputy Lopez assisted by driving his right knee "onto Suspect Zaragoza's left shoulder/back area in an attempt to prevent him from standing up, and continue his assault."

Deputy Lopez said he directed Deputy Farias to control the suspect's left hand, and attempt to handcuff him. Deputy Lopez said he, "saw Suspect Zaragoza tuck his left hand under his body, and continue to push his body off the floor and kick his right knee toward his chest area in an attempt to stand up." Deputy Lopez said he punched the suspect five to six times on the middle of his back, attempting to keep the suspect on the ground. Deputy Lopez said he saw Deputy Farias was able to hold on to the suspect's left arm, pull it behind his back where Deputy Lopez said she handcuffed the suspect.

Deputy Lopez did not recall what force the other deputies used. He remembered hearing someone say hobble him, but did not see it applied, nor was he sure who directed the hobble.

OSS Sergeant Dana Ellison:

Sergeant Ellison was working the East Los Angeles Station area when he heard radio traffic of Deputy Involved in a fight. He responded and saw several deputies attempting to control a violently kicking suspect. He directed the employment of the hobble. When ELA Field Sergeant Renfrow arrived, Sergeant Ellison advised him of his directed force. Sergeant Renfrow wrote a supplemental report and documented the actions of Sergeant Ellison, as well as the debriefing of the use of force with the deputies involved.

IAB Note: Sergeant Renfrow was the PM Field Sergeant the night of the incident. He said when he arrived to the Deputy Involved in a Fight Assistance request, he saw Suspect Zaragoza, "violently thrashing his body from side to side, screaming, and kicking his legs". He saw, "Deputy [redacted] feverously attempting to apply a hobble around S/Zaragoza's legs." Sergeant Renfrow said he told, OSS Sergeant Ellison, who had arrived seconds before Sergeant Renfrow, he directed Deputy [redacted] to employ the Hobble (Refer to **Exhibit E,** for Sergeant Renfow's observations and statements as documented in his Supplemental Report.)

WITNESS STATEMENT:

Witness [redacted]

Witness [redacted] was interviewed by Sergeant Renfrow after the use of force incident (Refer to CD in **Miscellaneous section** for a videotaped interview). Witness [redacted] said she heard sirens, then the silver car, (suspect vehicle) came pulling in, "really fast," with the sheriffs' car behind. The suspect tried to escape from the deputies by running in the house. She recalled the deputies took the suspect to the ground, and he was resisting the deputies, as they were trying to handcuff him. Witness [redacted] said she, "just saw fists," and heard the suspect screaming for, "[redacted]"

Witness [redacted]

Witness [redacted] was interviewed by Sergeant Renfrow after the use of force incident (Refer to CD in **Miscellaneous section** for a videotaped interview.) Witness [redacted] said he heard sirens, saw the suspect vehicle, then the driver immediately ran from the deputies toward his house. Witness [redacted] said the deputies ordered the suspect to stop numerous times but, "he wasn't stopping." He said the deputies, "put him down, but he kept trying to get up." Witness [redacted] said the suspect continually resisted the deputies and he kept, "screaming for someone."

SUSPECT STATEMENT:

Suspect James Zaragoza:

Suspect Zaragoza was interviewed by Sergeant Renfrow after the use of force incident at LCMC (Refer to CD in **Miscellaneous Section** for video taped interview). Suspect Zaragoza admitted to deliberately ignoring Deputy Barrera's lights and siren because he told the deputy," You know where I live, follow me there." Suspect Zaragoza told Sergeant Renfrow that Deputy Barrera, "has it out for me."

Suspect Zaragoza denied any resistance toward the deputies except, "trying to get them off of you." When the suspect was asked if he grabbed hold of the deputy's vest, he replied, "When a deputy is poking your eyes out," explaining, "You're trying to make me hit you."

Suspect Zaragoza denies drinking any alcohol and the only narcotics he ingested were two Tylenol codeine pills, one in the morning, and one at night.

Suspect Zaragoza was interviewed by East Los Angeles Sheriff Station Detective Hernandez and Detective Mitchell at Twin Towers Clinic on November 23, 2010 (Refer to **Exhibit I**, for Detective Hernandez' observations and statements as documented in his Supplemental Report). When asked about the incident involving the deputies he told Detectives he recognized Deputy Barrera from past arrests with him. He knew Deputy Barrera was going to stop him, so he made a conscious decision not to stop for Deputy Barrera when he attempted to pull him over. Suspect Zaragoza denies ever resisting the deputies and added that Deputy Barrera "is out to get him."